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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,292	12/18/2000	Christopher Thompson	9-13528-142US	2141
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OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			EXAMINER HALIM, SAHERA	
			ART UNIT 2157	PAPER NUMBER

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/11/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/738,292

Applicant(s)

THOMPSON ET AL.

Examiner

Sahera Halim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on October 27, 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-8, 10-15, 19-21 and 23-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8, 10-15, 19-21 and 23-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. This Office Action is in response to communication filled on October 27, 2006.
2. Claims 2-8, 10-15, and 19-21, 23-35 are pending.
3. Claims 1, 9, 16-18, and 22 have been cancelled.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 2-8, 10-15, 19, and 23-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al., U.S Pat. No. 5,884,270 (hereinafter Walker).
6. Regarding claim 35, Walker teaches in a persistent collaboration services suite (see Fig. 2A; central controller) for facilitating collaboration between members of a team (see Fig. 1; party terminal 300 and requester terminal 400), a method of enabling a first team member to control communications with other members of the team, the method comprising steps of (abstract):  
  
providing a Virtual Team Environment (VTE) client application for enabling the first team member to interact with the persistent collaboration services suit to (see col. 8, lines 21 – 41; party terminal provides a party with an interface to system 100. Party

terminal allows a party to enter party data and transmits it to central controller):

define a plurality of member profiles associated with the team member, each member profile being stored by the persistent collaboration service suite remote from the VTE client application (col. 7, line 49 – 62; Central controller saves “party data”, which remote from the party terminals and requester terminals) and comprising communication information defining a respective set of preferences of the team member for participating in each one of a plurality of different types of communications (see col. 9, line 26 - 61; the central controller assigns pseudonyms to each party and requester that indicates a party’s and requester’s preferences for participating in different types of communications) and forwarding the communication information to a respective VTE of each one of the other members of the team (col. 9, line 40 – 61; when a requester or party requests data about each other, the central controller provides the authorized data and along with pseudonyms).

select one of the plurality of member profiles as a current profile (see col. 7, line 49 – col. 8, line 41; central controller selects pseudonyms based on user preferences);  
and

controlling the persistent collaboration services suite to forward the communication information of the selected member profile to a respective VTE client application of a second member of the team independently of whether or not the first team member is logged into the persistent collaboration services suite (see Fig. 1 – 3 and col. 7, line 29 – col. 8, line 51; the party and requester profile is saved on the central controller, therefore, the party or requester can request information about each other

independent of the others connection).

7. As to claim 2, Walker teaches a method as claimed in claim 35, wherein the types of communications comprise: 1-way messaging, 2-way messaging voice, and multi-media (see col. 9, line 26 – 39).

8. As to claim 3, Walker teaches a method as claimed in claim 2, wherein 1-way messaging comprises one or more of paging and e-mail (col. 9, line 26 –39)

9. As to claim 4, Walker teaches a method member as claimed in claim 2, wherein 2-way messaging comprises instant messaging (col. 9 line 63 – col. 10, line 11).

10. As to claim 5, Walker teaches a method as claimed in claim 2, wherein multi-media communication comprises one or more of: document sharing, and application sharing (see col. 7, line 49 - col. 8, line 10).

11. Per claim 6, Walker teaches a method as claimed in claim 35, wherein the communications information comprises, for each one of the plurality of different types of communications, a selected one of: an indication that the team member prefers not to participate in the respective type of communications; and communications preference information identifying a preferred communications device selected by the team member for participating in the respective type of communications (col. 8, line 51 - col.

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9, line 66).

12. Regarding claim 7, Walker teaches a method as claimed in claim 6, wherein the communications preference information comprises at least an address of the preferred communications device (col. 9, line 27 - 39).

13. Regarding claim 8, Walker discloses a method as claimed in claim 7, wherein the address comprises any one or more of: a public Switched Telephone Network (PSTN) destination number (DN); a Private Branch Exchange (PBX) extension number; an internet protocol (IP) address; and an e-mail address (col. 9, line 27 - 39).

14. Reference to claim 10, Walker teaches a method as claimed in claim 35, wherein each team member profile is associated with a respective one of a plurality of different roles of the team member (abstract and summary).

15. Regarding claim 11, Walker teaches a method as claimed in claim 10, wherein each one of the plurality of different roles is defined by the respective team member (abstract and summary).

16. Per claim 12, Walker teaches a method as claimed in claim 11, wherein the plurality of different roles comprises a working role of the team member (see abstract, background and summary).

17. Reference to claim 13, Walker teaches a method as claimed in claim 10, wherein each team member profile is further associated with a respective one of a plurality of different environments of the team member (Col. 5, lines 13 – col. 6, line 62).

18. Per claim 14, Walker teaches a method as claimed in claim 13, wherein each one of the plurality of different environments is defined by the respective team member (col. 9, line 27 - 39).

19. Regarding claim 15, Walker teaches a method as claimed in claim 14, wherein the plurality of different environments comprises an office environment of the team member (col. 9, line 27 - 39).

20. Reference to claim 19, Walker teaches a method as claimed in claim 18, wherein enabling the team member to interact with the persistent collaboration services suit comprises the step of: providing an Interactive Voice Response (IVR) interface to the persistent virtual team environment; and enabling the team member to access the IVR using a voice communication device (col. 9, line 62 - col. 10, line 11 and col. 19, lines 37 - 50).

21. Regarding claim 24, Walker, teaches a method as claimed in claim 35, wherein the step of enabling the team member to interact with the persistent collaboration

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services suit comprises the steps of (summary): providing a graphical user interface (GUI) adapted to interact with the persistent collaboration services suit; and enabling the team member to access the graphical interface using a GUI-enabled communications device (See Fig. 1 and col. 7, line 29 - col. 8, line 51).

22. Regarding claim 25, Walker discloses a method as claimed in claim 24, wherein the GUI is instantiated in the GUI-enabled communications device and adapted to interact with the collaboration services suite through a network (See Fig. 1 and col. 7, line 29 - col. 8, line 51)

23. Reference to claim 26, Walker teaches a method as claimed in claim 24, wherein the GUI is instantiated by a web page associated with the collaborations services suite and accessible by the GUI-enabled communications device through an IP network (See Fig. 1 and col. 7, line 29 - col. 8, line 51).

24. Regarding claim 27, Walker teaches a method as claimed in claim 24, wherein the GUI-enabled communications device comprises any one of: a PC; a wireless PDA, a Wireless Application Protocol (WAP) enabled communications devices (See Fig. 1 and col. 7, line 29 - col. 8, line 51).

25. As to claim 28, Walker teaches a method as claimed in claim 24, wherein enabling the team member to interact with the persistent collaboration services suite



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further comprises the steps of: using the GUI to display information of one or more options concerning the communications information; receiving an input from the team member indicative of a team member selection; and selecting the communications information using the team member selections (col. 7, line 49 - col. 8, line 62).

26. Per claim 29, Walker teaches a method as claimed in claim 28, wherein the information of one or more options comprises information identifying each one of a plurality team member profile, each team member profile including respective different communications information (col. 7, line 49 - col. 8, line 62 and col. 9, line 27 - col. 10, line 11).

27. Claim 30, has similar limitations as to claim 23, therefore, it is rejected under the same rational.

28. Reference to claim 31, Walker discloses a method as claimed in claim 28, wherein the information of one or more options comprises information identifying an availability of the team member for participating in each one of the plurality of different types of communications (col. 19, line 12 - 50).

29. As to claim 32, Walker teaches a method as claimed in claim 31, wherein the step of selecting the communications information comprises, in respect of each one of the plurality of different types of communications, a step of using the input form the

team member to select one of: and indication that the team member is prefers not to participate in the respective type of communications; and information identifying a preferred communications device selected by the team member for participating in the respective type of communications (col. 19, line 12 - 50).

30. Regarding claim 33, Walker teaches a method as claimed in claim 32, wherein the information identifying a preferred communications device comprises at least an address of the preferred communications device (col. 19, line 12 - 50).

31. As to claim 34, Walker discloses a team member profile as claimed in claim 33, wherein the address comprises any one or more of: a Public Switched Telephone Network (PSTN) destination number (DN); a Private Branch Exchanged (PBX) extension number; an internet protocol (IP) address; and an e-mail address (col. 9, line 26 -61).

### **Claim Rejections - 35 USC § 103**

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 20, 21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker in view of Parsons et al, US Pub. No. 2002/0085701

(hereinafter Parsons).

11. Regarding claim 20, Walker does not explicitly teach wherein enabling the team member interact with the persistent collaboration services suite further comprises the steps of: playing an announcement including information of more options concerning communications information; receiving one more dialed digits dialed by team member in response to the announcement; and selecting the communications information using the received dialed digits.

However, Parsons teaches wherein enabling the team member interact with the persistent collaboration services suite further comprises the steps of: playing an announcement including information of more options concerning communications information (pg. 8, 0087); receiving one more dialed digits dialed by team member in response to the announcement; and selecting the communications information using the received dialed digits (pg. 8, 0088 –0090). Having the teachings of Walker, and Parsons, it would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Walker and Parsons in order to provide communications and messaging services to employees or workgroups through alternative and variably available devices (page1, 0007).

12. Reference to claim 21, Walker teaches wherein the information of one more options comprises information identifying each one plurality of team member profiles (col. 7, line 49 - 62 and col. 16, line 32).

13. As to claim 23, Walker does not teach wherein the step of selecting communications information comprises a step of using the dialed digits dialed by team member to select one plurality of team member profiles as a current profile. However, Parsons teaches wherein the step of selecting communications information comprises a step of using the dialed digits dialed by team member to select one plurality of team member profiles as a current profile. Having the teachings of Walker, and Parsons, it would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Walker and Parsons in order to provide communications and messaging services to employees or workgroups through alternative and variably available devices (page1, 0007)

### ***Response to Arguments***

21. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sahera Halim whose telephone number is (571) 272-4003. The examiner can normally be reached on M-F from 8:30-5:00.

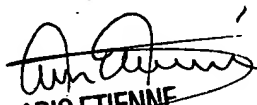
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sahera Halim  
Patent Examiner  
AU: 2157

January 4, 2007

  
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